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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
JACQUES PARIS et al  
Serial No.: 09/423,109  
Filed: October 29, 1999  
For: NEW HORMONAL...AND ITS USE

: K.J. Stiller  
:  
: Group: 1617

600 Third Avenue  
New York N.Y. 10016  
January 25, 2002

RESPONSE

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the office action of December 28, 2001,  
Applicants request that the same be withdrawn and a new office  
action be issued and the application transferred to Ms. Qazi.

On December 18, 2001, there was hand delivered to Ms. Qazi a  
preliminary amendment which was the result of an interview with the  
inventors and their French representative and the undersigned  
attorney with Ms. Qazi and Mr. Jose Dees, her supervisor. At the  
same time, there was also a joint discussions in related  
application Serial No. 284,147 filed April 7, 1999 and Serial No.  
423,108 filed October 29, 1999.

The present Examiner, when he telephoned the undersigned on  
December 19, 2001, was informed that he had an interview with the  
clients and with Ms. Qazi and Jose Dees and than an amendment had  
been hand delivered to Ms. Qazi. It was requested of the Examiner  
to transfer the application to Ms. Qazi in view of the interview


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and the related cases being handled by her. Much to the undersigned's surprise, he received the office action of December 28, 2001 which did not deal with the amended claims and instead, dealt with the original claims. Therefore, Applicants greatly urge for the benefit of justice and to expedite the prosecution that the application be transferred to Ms. Qazi in view of the interview and the related cases. At a minimum, the office action should be withdrawn and the proper claims, which were in the Patent Office at the time of the issuance of office action, be withdrawn and considered.

In view of the above, it is not deemed necessary to make the election of species required by the Examiner since he examined the wrong claims.

Respectfully submitted,  
Bierman, Muserlian and Lucas

By:

  
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CAM:ds  
Encl.: Return receipt postcard